

78A-11-105. Grounds for reprimand, censure, suspension, removal, or involuntary retirement of justice, judge, or justice court judge -- Suspension.

(1) The commission may issue an order, subject to the Supreme Court's review and issuance of a final order implementing, rejecting, or modifying the commission's order, that any judge be reprimanded, censured, suspended, removed from office, or involuntarily retired, for:

- (a) action which constitutes willful misconduct in office;
- (b) final conviction of a crime punishable as a felony under state or federal law;
- (c) willful and persistent failure to perform judicial duties;
- (d) disability that seriously interferes with the performance of judicial duties; or
- (e) conduct prejudicial to the administration of justice which brings a judicial office into disrepute.

(2) In addition to the reasons specified in Subsection (1), the Supreme Court shall order the reprimand, censure, suspension, removal, or involuntary retirement of any justice court judge who fails to obtain and maintain certification from the Judicial Council for attendance at required judicial training courses or who fails to meet the minimum requirements for office, including residency.

(3) (a) The Supreme Court may, on its own motion, suspend or remove a judge from office if the judge:

(i) develops a physical or mental disability that seriously interferes with the performance of his judicial duties as provided in the Utah Constitution, Article VIII, Section 13, Paragraph 4;

(ii) becomes unqualified to hold the judicial office as provided in the Utah Constitution, Article VIII, Sections 7 and 10, and Section 78A-2-221; or

(iii) brings the judicial office into disrepute by engaging in conduct prejudicial to the administration of justice as provided in the Utah Constitution, Article VIII, Section 13, Paragraph 5.

(b) The Supreme Court shall provide notice to the judge and an opportunity to be heard.

Renumbered and Amended by Chapter 3, 2008 General Session